

October 12, 2005

GREGG HIRAKAWA  
3636 14<sup>TH</sup> AVENUE WEST  
SEATTLE, WA 98119

Subject: Complaint Filed Against Judge Terry Jurado – PDC Case # 05-395

Dear Mr. Hirakawa:

The Public Disclosure Commission (PDC) staff has completed its investigation of your complaint received on June 7, 2005, alleging that Terry Jurado used the facilities of the City of Renton to assist his campaign for Municipal Court Judge.

The PDC staff reviewed your allegations in light of the following statute:

**RCW 42.17.130** forbids use of public office or agency facilities in campaigns. No elective official nor any employee of his office nor any person appointed to or employed by any public office or agency may use or authorize the use of any of the facilities of a public office or agency, directly or indirectly, for the purpose of assisting a campaign for election of any person to any office or for the promotion of or opposition to any ballot proposition.

Specifically, you alleged that Judge Jurado used his City of Renton computer and e-mail system to solicit an endorsement for his re-election campaign from Judge Fred Yeatts, an alleged violation of RCW 42.17.130.

We found that:

- Terry Jurado is a Municipal Court Judge for the city of Renton. He was appointed to the municipal court bench on January 4, 1999, and ran unopposed in 2001. His current term of office expires December 31, 2005. He filed a candidate registration (PDC form C-1) on May 15, 2005 for re-election. He was challenged by Mychal Schwartz and Russell Wilson in the primary election. Judge Jurado and Russell Wilson advanced to the general election.
- On January 5, 2005, the Schwartz campaign placed an advertisement in the Renton Reporter listing The Honorable Fred Yeatts as an endorser. Judge Jurado stated that he understood from a previous conversation with Judge Yeatts that Yeatts was only giving

Mychal Schwartz a recommendation regarding his performance in Yeatts' court and his opinion as to his general suitability for the bench, not an endorsement.

- On January 19, 2005, Judge Jurado sent an e-mail to Fred Yeatts using his City of Renton computer in an effort to determine whether the statements in the Mychal Schwartz ad were accurate. In the e-mail, Judge Jurado asked Fred Yeatts if he had misunderstood what they had previously discussed. Judge Jurado's e-mail asked for clarification about the endorsement of Mr. Schwartz because, as Judge Jurado said in his e-mail, he was beginning to actively campaign to retain his seat. The e-mail was sent from Judge Jurado's judicial office computer in the City of Renton.
- In response to the complaint, Judge Jurado stated that the purpose of his e-mail to Judge Yeatts was to obtain information necessary to decide whether it was appropriate to report what he considered to be serious breaches of ethics by Mychal Schwartz to the Washington State Commission on Judicial Conduct and King County Bar Association.
- Judge Jurado did not dispute that he sent the e-mail to Judge Yeatts using the e-mail system of the City of Renton. He did, however, deny that the use of his computer and e-mail was to assist his campaign.

The investigation showed that Judge Jurado asserted that he used his City of Renton computer and e-mail to help him determine whether he had a duty to report the activities of Mychal Schwartz to the Washington State Commission on Judicial Conduct and the King County Bar Association. However, because of the relevance of the disputed endorsement issue to Judge Jurado's campaign, the e-mail could also be viewed as an attempt to obtain information that could discredit his opponent. While no enforcement action will be taken in this instance, Judge Jurado will be cautioned to avoid using his City of Renton computer in similar circumstances.

After a careful review of the alleged violation and relevant facts, we have concluded our investigation and, with the concurrence of the Chair of the Public Disclosure Commission, I am dismissing your complaint against Judge Terry Jurado.

If you have any questions, please contact Phil Stutzman at (360) 664-8853 or toll-free at 1-877-601-2828, or by e-mail at [pstutzman@pdc.wa.gov](mailto:pstutzman@pdc.wa.gov).

Sincerely,

Vicki Rippie  
Executive Director

c: Judge Terry Jurado